

**REGULAR MEETING  
COMMUNITY DEVELOPMENT COMMITTEE  
SEPTEMBER 15, 2006 – 8:30 A.M.  
TRIBAL OFFICE BOARDROOM**

**1. Call to Order – Roll Call –**

Meeting was called to order by Kenneth A. Fish. Roll call was taken. Members present: Todd Every, Rick Warrington, Dave Corn, Marlin Waupoose. Members absent: Dave Grignon and Pat Corn. A quorum was present. Also present: Brian Tepiew, Loren White, Louis Washinawatok,

**2. Moment of Silence-** A moment of silence was observed.

**3. Approval of Minutes dated August 15, 2006-**

**Motion by Rick Warrington to approve the minutes of August 15, 2006. Seconded by Lloyd Pecore. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**4. Election of Officers-**

**Motion by Rick Warrington to nominate Todd Every as Vice-Chairman. Seconded by Dave Corn. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**Motion by Rick Warrington to nominate Pat Corn as Secretary. Seconded by Dave Corn. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**5. Review of Bylaws-**

Committee will keep the current bylaws. There was discussion as to proxy voting. Consensus was that if a member is not here, there is no need to send a representative. If there is no quorum, then there will be no meeting.

**6. Menominee Nation Casino Land Request Set-Aside-**

James Reiter-General Manager of the Casino presented a motion from the Gaming Board requesting land for Phase I (approximately 24 acres) and Phase 2 (approximately 160 acres) for development purposes. A copy of the motion that was passed along with a map designating the area in question was given to Committee. A signed copy of the motion will be forwarded to the Chairman's Office.

**Motion by Todd Every to recommend to the Legislature to approve the request from the Menominee Tribal Gaming Business Committee to designate that area for gaming operations as shown on map. Seconded by Lloyd Pecore. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

Within Phase II, the request reflects privately owned land that would need to be pursued.

**Motion by Todd Every to recommend to the Legislature to delegate to the appropriate department to look into the acquisition of land for gaming purposes (King property south of existing Casino and a portion of the Tucker property south of existing Casino) as designated on map. Seconded by Marlin Waupoose. All those in favor of the motion signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

Mr. Reiter informed the Committee that there will be architect firms that will be presenting their proposals to the Legislature some time in October, 2006. Each firm will be given 1 hour to present their proposals and then ½ hour for questions. The Casino will be looking into a 13 month timeline from ground breaking to opening. There are numerous banks that are interested in the financing aspect of this project and Committee will be kept informed.

#### **7. Loren White Land Issue-**

A map showing the exact location of residential home, existing road and proposed recreational lease area was given to Committee. Louis Washinawatok and Loren White were present to answer any further questions from the Committee.

**Motion by Rick Warrington to recommend to the Legislature that the Community Development Department prepare a survey for the Washinawatok/White LaMotte Lake area (.7 acres) for the removal from sustain yield, have the Attorney's Office draft a resolution supporting this removal and that the actual cost of the survey become the families responsibility. Seconded by Marlin Waupoose. All those in favor signify by raising your right hand. Motion carried: 4-for, 0-opposed, 1-abstention (Pecore) and 2-absent (Corn and Grignon)**

Committee will review the Land Use Policies to amend any changes needed. This item will be on the next agenda.

#### **8. Brian Tepiew Land Request-**

The cost estimated to run sewer and water to the proposed area would cost around \$923,000.00. When the map of the area was shown to the Committee, Mr. Tepiew pointed out the area in the UID-1 district that he was interested in. His original written request did not perk and Committee was under the assumption that he was looking into the F-1 district. Committee requested to Mr. Tepiew to send a written request, proposed site map to the Director of Community Development. In turn, Mr. Every will bring back this request along with the pros and cons of this request to the next meeting.

## **9. Pow-Wow Committee Report-**

**Motion by Rick Warrington to table the Pow Wow Committee Report. Seconded by Marlin Waupoose. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

## **10. Development of Pow Wow Policy-**

For accountability, this Committee needs to see the minutes from the Pow Wow Committee as a report has not been given as of this date. The budget for the Pow Wow needs to come to be presented earlier along with a timeline of duties and responsibilities to ensure that all departments are working together.

Committee is requesting to the Legislature to have the Pow Wow Committee come back with policies which would include: dancing categories, maintenance, vendors, and electrical pedestals. There should be coordination and input involving the different departments that assist with the setting up of the Pow Wow. These policies should come back to this Committee within 90 days.

**Motion by Marlin Waupoose to recommend to the Legislature to have the Pow Wow Committee develop working policies and to have different departments have input to avoid any future problems. Seconded by Rick Warrington. Motion carried: 5-for, 0-opposed, 0-abstention, 2-absent (Corn and Grignon).**

## **11. Dyan Nickey Business Proposal-**

Dyan Nickey was present at meeting and was informed of the 8 acres area that she would be given to start her business. Her original request was not the same. The Committee informed her that the Gaming Board had just made their decision and everyone in room was just informed this morning. She agreed to work with this parceled area.

**Motion by Rick Warrington to recommend to the Legislature to approve the 8 acre request at the SE end of the Parcel be designated for the Dyan Nickey business proposal. (In the event that this business proposal does not follow thru, than this area should revert back to the Casino expansion project). Seconded by Lloyd Pecore. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**12. Draft Commercial Land Lease-**

Committee was given copy of proposed lease and will need a special meeting to go over it thoroughly. Some of the questions are how much rent will be paid. How will the byproducts be removed. Most commercial leases have a minimum of 25 years. Ms. Nickey has stated that her financial institution is only accepting the minimum of 25 years. The lease refers to CFR rules that the Committee does not know the wording. The Committee will also need to review Ms. Nickey sub-leases so that all documents are cohesive. The Committee will request to have the Program Attorney present at this meeting.

**Motion by Todd Every to table the lease until the special meeting. Seconded by Rick Warrington. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**13. Menominee Tribal Supermarket-**

**Motion by Rick Warrington to table this item until further action is needed. Seconded by Lloyd Pecore. All those in favor signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**14. Energy Policy-**

Llew Boyd informed the Committee that the Menominee Tribe needs to develop an Energy Policy so that the Tribe can move forward and look for alternate sources of energy through grants and other means out there. Mr. Every and Mr. Boyd will draft a policy and bring this back to the Committee.

**15. Biomass Heating Systems Recommendation-**

Mr. Boyd briefly discussed this in item #14.

**16. Cemetery Plan-**

This item will be removed until further notice.

**17. Review of Leases, Zoning Ordinance and Junk Car Ordinance-**

Upon review of the Zoning Ordinance and leases, they only state that where applicable by law in regards to this issue. The Junk Yard Ordinance was amended on 7/21/2005 with the enforcement revised to reflect that the Menominee Tribal Police Department along with the Conservation department is required to issue citations.

Section 4 (a) "It shall be the duty of the Menominee Tribal Police and the Menominee Tribal Conservation Departments to enforce the provisions of this law through periodic inspections and inspections upon complaints. No action shall be taken unless an officer shall have inspected or caused to be inspected the premises where the violations of this law do in fact exist."

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From this wording, the issue of junk cars will be requested to be sent back to the Enforcement Committee.

**Motion by Lloyd Pecore to recommend to the Legislature to send the junk car issue back to the Enforcement as the Junk Yard Ordinance states that the MTPD and the Conservation department are suppose to enforce this ordinance. Seconded by Rick Warrington. All those in favor of the motion signify by raising your right hand. Motion carried: 5-for, 0-opposed, 0-abstentions, 2-absent (Corn and Grignon).**

**18. Other Business-**

No action required.

**19. Adjournment-**

**Motion by Lloyd Pecore to adjourn the meeting. Seconded by Todd Every. Meeting adjourned at 11:35 a.m.**

Respectfully by,

Linda Peters, Recorder  
Legislative Staff Services